



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# Rhode Island State Labor Relations Board

Building 73  
1511 Pontiac Avenue  
Cranston, Rhode Island 02920-4407

## OPEN MINUTES BOARD MEETING

**TIME:** 9:00 a.m.  
**DATE:** Tuesday, May 13, 2003  
**PLACE:** 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter J. Lanni, Chairman  
Frank J. Montanaro  
Joseph V. Mulvey  
Gerald S. Goldstein  
Ellen L. Jordan  
John R. Capobianco  
Elizabeth S. Dolan

**OTHERS PRESENT:** Joan N. Brousseau, Administrator  
Robyn H. Golden, Investigator  
Margaret Hogan, Esquire

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Chairman Lanni called the meeting to order in Open Session at 9:10 a.m.

All members present reviewed the Open Minutes of the April 8, 2003 Board Meeting. A Motion was made by Elizabeth Dolan and seconded by Gerald Goldstein to accept the Open Minutes as written, and it was unanimously

**VOTED:** by all Board Members to accept the minutes as written.

The meeting continued in open session:  
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### Drafted Decisions:

1. Case No. EE-3660  
Providence School & AFSCME (Substitute Clerks)

This case was heard formally by Walter Lanni, Joseph Mulvey, Ellen Jordan, John Capobianco, and Elizabeth Dolan. Frank Montanaro and Gerald Goldstein reviewed the transcript and briefs.

**DIRECTION OF ELECTION:** By virtue of, and pursuant to, the power vested in the Rhode Island State Labor Relations Board by the Rhode Island State Labor Relations Act, it is hereby:

DIRECTED, that an election by secret ballot shall be conducted within forty- five (45) days hereafter, under the supervision of the Board or its agents, at a time, place and during hours to be fixed by the Board among the Substitute Clerks of the Providence School Department, who have worked for sixteen (16) or more weeks for the 2002-2003 academic year, as of the date of this order, to determine whether they wish to be represented, for the purposes of collective bargaining, as provided for in the Act, by RI Council 94, AFSCME, AFL-CIO or by no labor organization.

After review of the drafted decision, a Motion was made by Elizabeth Dolan and seconded by Ellen Jordan to sign the Decision and Direction of Election, as written. After discussion, all Board Members voted in favor of the Motion and did sign the Decision and Direction of Election, as written.

**Unit Clarifications**

- 1 Case No. EE-2087  
RIC & RIC Professional Staff Assn.  
UC: Director of User Support Services (P. Hayes)

After review of the investigator's report and responses from both the Employer and the Union, a Motion was made by Ellen Jordan and seconded by Frank Montanaro to accrete the position of Director of User Support Services into the bargaining unit defined in Case No. EE-2087, to proceed to formal hearing, and to consolidate the formal hearing on this position with the currently pending formal hearing on the position of Director of Health Services/Nurse Practitioner involving the same parties. After discussion, all Board Members voted in favor of the Motion.

**Miscellaneous Matters:**

1. Case No. ULP-5653  
RI Training School & NAGE  
(30-day status letter)

After review of the 30-day status letter sent to the parties on March 5, 2003, a Motion was made by Elizabeth Dolan and seconded by Ellen Jordan to dismiss the Unfair Labor Practice charge because neither party submitted a response to the status letter. After discussion, all Board Members voted in favor of the Motion.

2. Case No. ULP-5609  
Bristol & Steelworkers

Chairman Lanni informed all Board Members that the Union did submit a letter of apology to the Board for having failed to appear at the formal hearing scheduled on this matter. The said letter was made available for all Board Members to review.

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Ellen Jordan made a Motion for the Board to go into Closed Session for the purpose of reviewing Unfair Labor Practice Charges, Cases Concluded, and Miscellaneous Matters, and the minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. It was seconded by Frank Montanaro, and it was unanimously

**VOTED:** for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 10:00 a.m.

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The meeting resumed in open session at 10:45 a.m. for the purposes of reading into the minutes the determinations made by the Board in Closed Session.

**UNFAIR LABOR PRACTICE CHARGES:**

- 1 Case No. ULP-5659  
Bristol & Steelworkers

**DETERMINATION:** Issue a Complaint and proceed to formal hearing.

- 2 Case No. ULP-5668  
RI Admin & AFSCME

**DETERMINATION:** Issue a Complaint and proceed to formal hearing.

**MISCELLANEOUS MATTERS:**

Updating Rules and Regulations:

**DETERMINATION:** To accept the proposed changes of the Board's Administrator, and proceed with the process of updating the Rules and Regulations.

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A Motion to adjourn was made by Ellen Jordan. It was seconded by Elizabeth Dolan; and it was unanimously,

**VOTED:** to adjourn the meeting at 10:50 a.m.